IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 6TH JULY 2007 / 15TH ASHADHA 1929

WP(C).No. 20783 of 2007(Y)

AGAINST THE ORDER DATED 25/06/2007 IN IA 3413/2007 IN OS.330/2002 of I ADDL.SUB COURT, THRISSUR

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PETITIONER:

VIJAYALAKSHMI, D/O.PULAYANTHARA KUNJUKUNJU, PERAMANGALAM VILLAGE, PERINGANDOOR DESOM, THRISSUR.

BY ADV. SRI.K.A.SREEJITH

RESPONDENTS:

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1. **JANAKI, W/O.KUNNATHUVEETTIL ARUMUGHAN, PATTIKKARA DESOM, CHIRANELLUR VILLAGE, TALAPPILLY TALUK.**
2. **ASOKAN, S/O.JANAKI,KUNNATHUVEETTIL, PATTIKKARA DESOM, CHIRANELLUR VILLAGE TALAPPILLY TALUK.**
3. **PRABHAKARAN, S/O. -DO-, -DO-.**
4. **ARAVINDAKSHAN, S/O. -DO-, -DO-.**
5. **DIVAKARAN, S/O. -DO-, -DO-.**
6. **ANITHA, D/O. -DO-, -DO-.**
7. **AMBUJAKSHAN, S/O. -DO-, -DO-.**
8. **CHANDRAN, S/O. VADARIYATTIL KOCHUKUTTAN, PERAMANGALAM DESOM AND VILLAGE, THRISSUR TALUK.**

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.KRISHNAN, J

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W.P.C.NO. 20783 OF 2007

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Dated this the 6th Day of July, 2007.

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J U D G M E N T

This Writ Petition is filed seeking to set aside the order to pay costs in I.A.3413/07 in O.S.330/02. The petitioner filed an application for reception of documents. Though it was belated, the court was pleased to receive the same on imposition of heavy cost of Rs.5,000/-. The fight is between the husband and wife and the petitioner has stated the reasons for not producing the documents in time. For the delay, she has to be penalized, but not to this extend. Therefore I find the order requires modification and the order of the court below is modified by reducing the cost from Rs.5,000/- to Rs,1,000/- and let it be paid within a period of one month from today. On payment of the same, the documents has to be received and the suit be proceeded in accordance with law.

The Writ Petition is disposed of accordingly.

M.N.KRISHNAN
JUDGE

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